



# California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, P.E., Chair



Arnold  
Schwarzenegger  
Governor

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Secretary for  
Environmental Protection

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16 September 2008

Mr. Ken Mass  
President  
Ken Maas Enterprises  
3650 Cincinnati Ave  
Rocklin, CA 95765

**CERTIFIED MAIL**  
7006 0810 0002 9650 9999

## **STIPULATION FOR ENTRY OF ADMINISTRATIVE CIVIL LIABILITY ORDER, KEN MAAS ENTERPRISES, ALEXANDRIA ESTATES, PLACER COUNTY**

Enclosed is a tentative Administrative Civil Liability Order (tentative Order), issued pursuant to California Water Code (CWC) section 13385, for violations of National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 Order No. 99-08-DWQ by Ken Maas Enterprises. The tentative Order charges Ken Maas Enterprises (hereafter referred to as "Discharger") with administrative civil liability in the amount of **eighty thousand dollars (\$80,000)** for failure to implement adequate erosion and sediment control BMPs and for threatening to cause a condition of pollution, contamination, or nuisance.

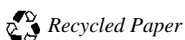
On 17 December 2007, the Assistant Executive Officer issued Administrative Civil Liability Complaint No. R5-2007-0533 (ACLC) for \$80,000, pursuant to California Water Code (CWC) section 13385, for violations of National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 Order No. 99-08-DWQ. This Order, when final, will rescind ACLC R5-2007-0533, includes an agreement on the part of the Discharger to pay **eight thousand dollars (\$8,000)**, and suspends payment of the remaining **seventy-two thousand dollars (\$72,000)**, contingent on fulfillment of obligations delineated in the tentative Order.

**Please sign the Order and send the original back to our office, addressed to Sue McConnell, prior to 16 October 2008.**

The tentative Order constitutes a settlement of the violations herein charged. This Order will only be considered final after a 30-day period, starting from the date listed above, during which time interested parties may comment on this action by submitting information to this office, attention Sue McConnell. Should the Regional Water Board receive new information during this comment period, the Regional Water Board may withdraw and re-issue the tentative Order with modifications, or may schedule the matter for a hearing before the Regional Water Board.

Any comments or evidence concerning the enclosed Order must be submitted to this office, attention Sue McConnell, **no later than 5 p.m. on 16 October 2008**. This includes material submitted by interested parties, including members of the public, who wish to comment on the proposed settlement. If the Regional Water Board does not hold a hearing on the matter, and the terms of the final settlement are not significantly different from the enclosed tentative

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Order, then there will not be additional opportunities for public comment on the proposed settlement. Written materials received after **5 p.m. on 16 October 2008** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

If you have any questions or comments regarding the tentative ACL Order, please contact Sue McConnell at (916) 464-4798.

WENDY WYELS  
Environmental Program Manager  
Compliance and Enforcement Section

Enclosures: Tentative ACL Order

cc w/encl: Ms. Pamela Creedon, Central Valley Water Board, Rancho Cordova  
Mr. Dan Radulescu, Central Valley Water Board, Rancho Cordova  
Mr. Kenneth Greenberg, USEPA, Region 9, San Francisco  
Mr. Reed Sato, Office of Enforcement, SWRCB, Sacramento  
Mr. Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento  
Ms. Lori Okun, Office of Chief Counsel, SWRCB, Sacramento  
Ms. Emel Wadhwani, Office of Chief Counsel, SWRCB, Sacramento  
Ms. Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova  
Mr. Bill Jennings, California Sport Fishing Protection Alliance, Stockton